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ETH-5062

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
DAVID W. OVERAKER

Group Art Unit 3731

Serial No.: 10/609,336

Confirmation No. 9275

Filed: June 28, 2003

For: SURGICAL ANCHOR INSERTER

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Amendment, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on March 2, 2005

(Date of Deposit)

Ketchen Merriweather

March 2, 2005

(Signature)

(Date)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, applicant and his attorney respectfully request that U.S. Patent No. 5,935,129, a copy of which is attached hereto, be made of record in the official United States Patent and Trademark Office file relating to the above-identified patent application. The citation of U.S. Patent No. 5,935,129 should not be construed as an admission that it constitutes statutory prior art with respect to the present invention.

Applicant's attorney notes that U.S. Patent No. 5,935,129 was cited during the prosecution of co-pending co-owned U.S. patent application having U.S. Serial No. 10/112,619, entitled "Expandable Cable Anchor". In this regard, it is noted that this co-pending application was previously cited to the United States Patent and Trademark Office in connection with the present application by way of an Information Disclosure Statement filed August 9, 2004.

Applicant's attorney notes that U.S. Patent No. 5,935,129 is in the English language. In such circumstances, no comments regarding its relevance to the present application are deemed necessary.

In order to facilitate the Examiner's citation of U.S. Patent No. 5,935,129, applicant's attorney has completed United States Patent and Trademark Office Form PTO/SB/08a (formerly PTO-1449). The completed form is attached hereto for the Examiner's convenience.

No fees are believed to be due in connection with the submission of this Supplemental Information Disclosure Statement. If any such fees are due, the Examiner is hereby authorized to charge them to Deposit Account No. 501402.

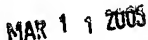
Respectfully Submitted,

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Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/609,336
Filing Date	June 28, 2003
First Named Inventor	David W. Overaker
Art Unit	3731
Examiner Name	To Be Assigned
Attorney Docket Number	ETH-5062

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.